



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VIII

999 18th STREET - SUITE 500
DENVER, COLORADO 80202-2466

APR - 7 1995

FILE COPY-OPA

Ref: 8HWM-ER

Kenneth Wonstolen
Gerrity Oil and Gas
4100 East Mississippi Avenue
Denver, CO 80222

Re: Weld County, CO
December 31, 1993
Case #C940010

Dear Mr. Wonstolen:

The Emergency Response Branch of the U.S. Environmental Protection Agency (EPA) has investigated the release of condensate into navigable waters of the United States (U.S.). The investigation was conducted pursuant to regulations governing spills of petroleum products into navigable waters of the U.S. under the Clean Water Act as amended by the Oil Pollution Act of 1990 (OPA).

EPA has made a determination not to pursue an enforcement action against Gerrity Oil and Gas at this time. EPA reserves the right to reopen this investigation and to pursue an enforcement action for this and/or any future violations should additional information warrant it or should future discharges occur from this facility. Section 311(b)(6) of the Clean Water Act as amended by OPA authorizes EPA to assess administrative penalties up to \$125,000.

If you or your facility are involved in a similar incident in the future, please be reminded that immediate reporting to the National Response Center (NRC) is required when a discharge of any petroleum product is released into navigable waters of the U.S. in a quantity which causes a sheen or otherwise violates applicable water quality standards. This is an emergency notification, the telephone number is 1-800-424-8802. The statutory notification requirement for discharges of oil does not cite a time period within which notifications of spills are to be made; rather, notifications are to be made immediately upon release of a harmful amount of petroleum product as defined in Section 311(b)(5) of OPA. Failure to comply with these notification requirements may result in an enforcement action being taken by EPA.



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Should you have any questions regarding OPA, please contact David Golden at (303) 391-5881.

Sincerely,

A handwritten signature in cursive script, reading "Sharon L. Kercher". The signature is written in dark ink and is positioned above the printed name and title.

Sharon L. Kercher, Chief
Enforcement Section
Emergency Response Branch